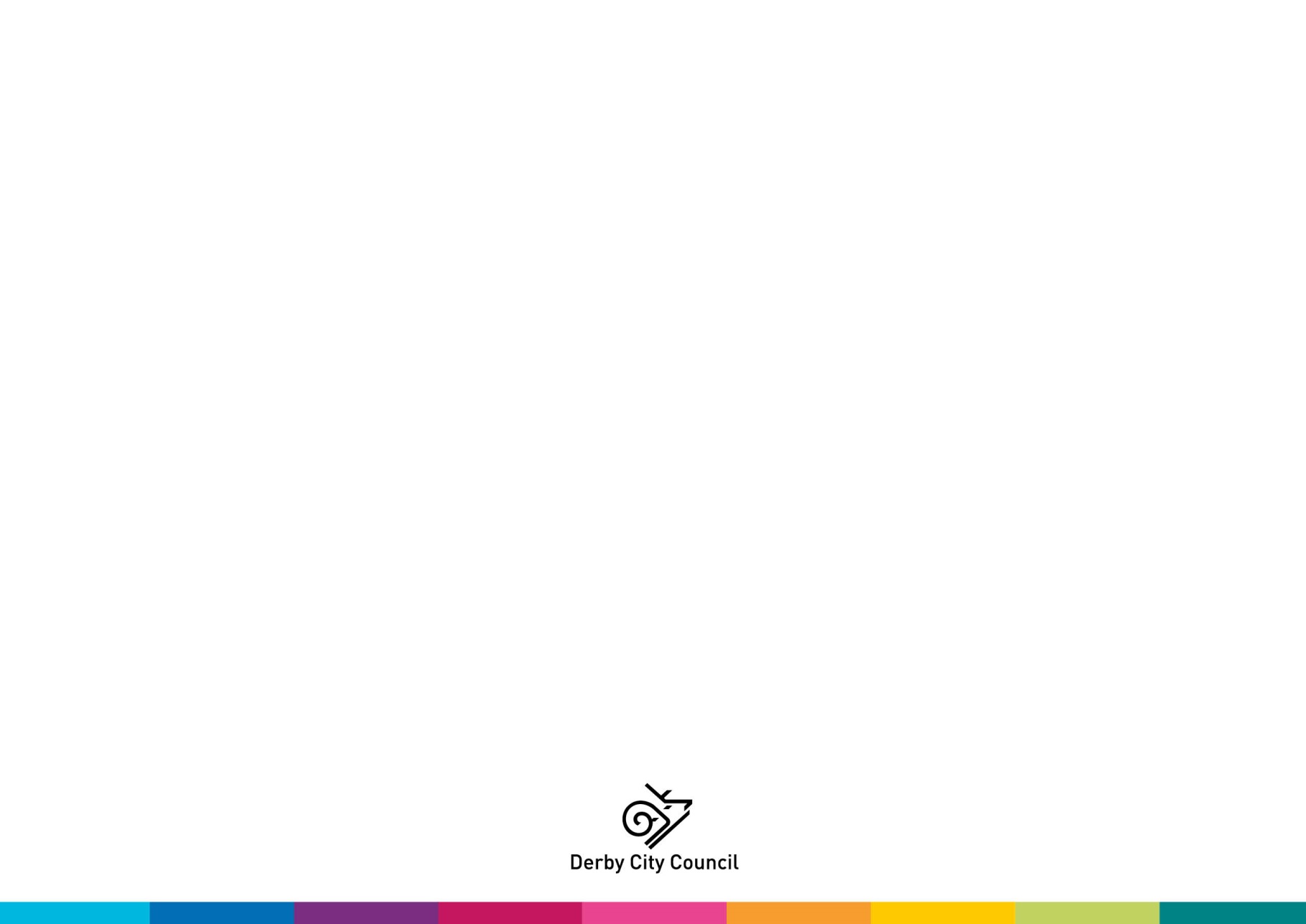
**Community Based Family Support**

**DRAFT SPECIFICTION**

1. **Introduction**
   1. **Overview**

Derby City Council is seeking a Service Provider of community-based family support for a period of two years between 1 May 2022 and 30 April 2024.

This section sets out the Service Specification relating to the provision of Community Based Family Support Services: Edge of Care and Early Help, for families in Derby who are experiencing difficulties. It describes the key features of the service required and should be read in conjunction with the Service Agreement.

Derby City Council (the Council) is looking to procure an innovative community volunteer-based edge of care and early help Service to support children, young people and families (the Service Users). The overall aim of the Service is to safely prevent entry to and reduce the number of children and young people entering care within Derby City. The Service will help maintain, where possible, children and young people within their families. The Service will work using strengths-based methods with families to enable them to build on their skills and develop their own strategies to manage difficulties; enabling them to manage difficult periods in their lives.

* 1. **Background**

Priority Families

In April 2012, the Government launched the Troubled Families Programme: a scheme to incentivise local authorities and their partners to turn around the lives of 120,000 troubled families by May 2015. The first programme worked with families where children were not attending school, young people were committing crime, families were involved in anti-social behaviour and adults were out of work.

In June 2013, the Government announced plans to expand the Troubled Families Programme for a further five years from 2015/16 and to reach up to an additional 400,000 families across England. This increased investment is testament to the Government’s ongoing commitment to improve the lives of troubled families and as this work is taken to a significantly greater scale, to transform local public services and reduce costs for the long-term.

In 2015 Derby City Council was asked to sign up to a number of key commitments. Including, to achieve significant and sustained progress with an agreed total number of families over a five-year period from 2015/16, this was then extended to 2021/2022 and to integrate and transform local public services, evidenced through participation in the programme’s National Impact Study, the submission of Family Progress Data and completion of the programme’s Costs Savings Calculator.

Derby City Council refers to the Troubled Families initiative as Priority Families and currently provides support to families that meet at least two of the following, nationally set criteria:

1. Parents or children involved in crime or anti-social behaviour.
2. Children who have not been attending school regularly.
3. Children who need help: children of all ages, who need help, are identified as in need or are subject to a Child Protection Plan.
4. Adults out of work or at risk of financial exclusion or young people at risk of

worklessness.

1. Families affected by domestic violence and abuse.
2. Parents or children with a range of health problems.

These criteria are to be developed; the service has been renamed to Supporting families from 2020. From 2022/23, Derby City Council will provide support to families that meet at least three of the following 10 nationally set criteria in order to promote:

1. Good Attendance, Behaviour and Engagement with Education
2. Good Early Years Development
3. Good Mental and Physical Health
4. Better managed Substance Misuse
5. Good Family Relationships
6. Children Safe from Abuse and Exploitation
7. Families Diverted from Crime
8. Safe from Domestic Abuse
9. Secure Housing
10. Financial Stability

Interventions are provided to families who meet the criteria through Derby City’s Early Help Offer.

<https://www.gov.uk/government/publications/financial-framework-for-the-expanded-troubled-families-programme>

Early Help/Early Intervention

Early Help in Derby is focused on supporting vulnerable families where there is a need for coordinated support from agencies to prevent issues escalating to the point where families may require statutory Social Care services (Derby City Council, 2018).

The Early Intervention Foundation (EIF, 2018) suggests that early intervention supports families to find resolutions to issues before they become more difficult to reverse.

Family Based Community Support

Edge of Care support, provided to families has a specific focus on minimising the need for children to become looked after by supporting families to stay together where it is in the child’s best interests and wherever it is safe to do so (Reading Borough Council, 2012).

The Community Based Volunteer Service: Edge of Care and Early Help, can be defined as a system of provision that builds not only on the strengths of the child and family, but also on the strengths of the community where that family lives. Providing community-based services means having high quality services accessible to families in the least restrictive setting possible (Child Welfare Information Gateway, 2018).

The Service will provide a sustainable model of support for families in Derby

1. **Strengths-based**: with an emphasis on empowering parents to gain the information, confidence and skills they need to find solutions and become the best parents they can be.
2. **Relationship-based**: developing trust between everyone that is involved − parents, volunteers, coordinators and local professionals.
3. **Reciprocal**: ensuring that everyone affected by the project feels their voice is heard and that they contribute to and benefit from being a part of the project.
4. **Evidence-based but adaptive**: rooted in evidence of what works, based on a theory of change and constantly reflecting, and prepared to innovate and adapt to local context.
5. **Collaborative**: aware of the distinctive roles of professional and volunteer support and working cooperatively with local professionals.
6. **Clear about parameters**: the aims and the boundaries of the volunteer projects are clearly articulated and understood by parents, professionals and commissioners (IVAR), pg. 4, 2016).

The IVAR (2016) also suggest that volunteer projects should:

* Have a thorough understanding of any project co-ordination roles,
* Fully cost projects so that they can provide a proper operational base,
* Ensure strong leadership,
* Be realistic about timescales and,
* Ensure that leadership models the principles of the project.
* Edge of Care support, provided to families has a specific focus on minimising the need for children to become looked after, by supporting families to stay together where it is in the child’s best interests and wherever it is safe to do so (Reading Borough Council, 2012).

**Legislation**

* The Data Protection Act 2018.
* The General Data Protection Regulation (GDPR) 2016.
* The Children Act 1989 (amended 2004).
* Safeguarding Vulnerable Groups Act 2006.
* Every Child Matters 2003.
* Working Together 2015.
* Any other relevant legal frameworks.

**Policy and Guidance**

* + - Financial Framework for the Expanded Troubled Families Programme.
    - Troubled Families- Early Help Service Transformation Maturity Model.
    - Improving Lives: Helping Workless Families.
    - National Evaluation of the Troubled Families Programme 2015-2020.
    - Working Together to Safeguard Children 2015.

1. **CORE REQUIREMENTS**
   1. **Service Aims, Objectives and Outcomes**

The Council is seeking a provider of Family Based Community Support Services to Support Families for a period of two years between 1 May 2022 and 30 April 2024.

The Service Provider will set up a 'model of operation' that delivers the Council's requirements and is able to demonstrate how it will meet the Council's requirements.

The overall aim of this community-based approach is to support children, young people and their families to develop skills and coping mechanisms to increase positive family functioning and build family resilience.

**Strengths Based Approach**

Strengths-based practice is defined by the Care Act 2014 as a collaborative process between the person supported by services and those supporting them, assisting them to work together to determine an outcome that draws on a person’s strengths and assets. As such, it concerns itself principally with the quality of the relationship that develops between those providing and those being supported, as well as the elements that the person seeking support brings to the process. Working in a collaborative way promotes the opportunity for individuals to be co-producers of services and support rather than solely consumers of those services.

**Bed Nights**

For the purpose of this specification a bed night is defined as a period of time where a child or young person resides overnight with a host. The overnight time period is not specific; however, should not exceed 28 days in any 12-month period per child.

The overall aim of this community-based approach is to support children, young people and their families to develop skills and coping mechanisms to increase positive family functioning and build family resilience.

The Service Provider will work with families with multiple and complex needs, including; poor school attendance/attainment, unemployment, involvement in crime or anti-social behaviour, domestic abuse, health issues and children who need help and those experiencing or at risk of experiencing neglect. The Service Provider will work with families to enable them to build upon their strengths and develop strategies to prevent breakdown.

The Community Based Volunteer Service: Edge of Care and Early Help service will provide direct support usually for up to a period of six months and will include:

* + - Safe, short stay host accommodation for children, typically for a couple of nights to a couple of weeks, but can be up to a maximum of 28 days in any 12-month period,
    - Befriending support for parents/carers,
    - Resources to help make the family home a healthy environment e.g. donations of goods and services,
    - Provision of volunteer family support,
    - Provision of suitable registered professional to oversee the intervention,
    - Support families to access sustainable support within their community.

Examples of situations where the Community Based Volunteer Service: Edge of Care and Early Help service might be able to provide help are:

* + - Supporting children and families where children are stepping down from looked after status,
    - Supporting parents of young children in challenging circumstances;
    - Supporting parents experiencing or having experienced domestic abuse;
    - Supporting teenage parents;
    - Short term hospitalisation of a primary/lone carer of children;
    - Situations where a parent or carer is at risk of, or is in receipt of custody services,
    - Where parents and carers have mental health needs;
    - Where grandparents care for grandchildren under a Residence Order;
    - To support children, young people and families where there are Child Protection plans in place.

It is anticipated that existing services would end on 30 April 2022 and this new service will be in place on 1 May 2022. Families currently in receipt of support would continue with their current provider and a lead in period defined.

**Aims**

The overall aim of the Service is to improve outcomes for Families in Derby. We seek to do this by ensuring the Priority Families Family Based Community Support Service complements the current Early Help Offer, with a focus on Delivering Differently

The Council aims through the provision of, Family Based Community Support from an independent organisation (the Service provider) to:

* + - ensure that families in Derby have access to a befriender when required to support them to meet and sustain their identified outcomes,
    - provide support to families that supports them to make significant progress in all six of the nationally set criteria areas.

The purpose of this community-based support initiative is to provide an evidence-based, crisis intervention model which will strengthen Derby City Councils' Edge of Care interventions and provide direct support to children and young people and their families, usually over a period up to 6 months. The aim is to support families to make significant, positive changes by facilitating the growth and development of problem-solving skills, building resilience and achieving positive, sustainable change by building on each family’s strengths, enabling access to resources within their local community and introducing and strengthening current coping strategies.

Widespread recognition and research shows that it is better to identify problems early and intervene effectively to prevent escalation than to respond only when the difficulty has become so acute as to demand action, such as neglect or family breakdown, when the young person may need to be taken into care.

The Council therefore wishes to work in partnership with providers in delivering a quick response to children and families in crisis to ensure that help is provided as soon as possible; addressing and overcoming the difficulties that have led to the family being at risk of breakdown and prevent further escalation and referral to care proceedings.

* 1. **Accessing the Service**

Families who may wish to access the Community Based Volunteer Service: Edge of Care and Early Help will be identified by the Council, in partnership with children, young people and their families.

This community-based Service will support families who are in need of ‘Early Help’, where problems are ‘emerging or escalating’ and families where there is a risk of the child(ren) entering longer term care, by providing timely support at a time of crisis. Support will be provided for families where there is at least one child between 0-16 years, to ensure effective Edge of Care support to 10-15 year olds; who are currently the Council’s highest Looked After Children (LAC) Group.

* 1. **Objectives**
* To provide community family support services to Derby City families who may have multiple and complex needs
* To ensure that the service delivered is effective, of exceptional quality and value for money
* To fully include the voice of children, young people and their families in decisions relating to the services being provided
* To ensure that Personnel and any volunteers are appropriately matched to families and able to meet their individual family needs
  1. **Expected Outcomes**

The overarching strategic outcomes for Derby City Children and Young People are to:

* Be happy, healthy and safe with good relationships.
* Be informed about the choices they have available.
* Feel involved in setting their own goals and types of support.
* Be able to access the right support at the right time.
* Live independently and achieve their full potential.

1. **IMPLEMENTATION / CONTRACT TIMETABLE**

The implementation period will start once the contract has been awarded to the successful Service Provider. This will include meetings with the Service Provider to discuss the plan to implement services within Derby City and out of area where appropriate to ensure the service go live date of 1 May 2022.

The contract period is two years with no option to extend.

1. **SERVICE DELIVERY**

It is essential that Service Providers are able to provide a Service that is flexible and responsive to meet the needs of families who request Family Based Community Support.

The service will be available as required 7 days a week to deliver direct support to young people aged 0-16 and their families.

The provider will offer emergency out of hour’s support system for young people and families to contact in emergency, this will operate from normal office closing times to normal office opening times.

The service will offer emergency contacts out of hours for circumstances when overnight hosting is required between 22.00 – 09.00 hours. Service Providers will be expected to ensure that these numbers are available from the start date of the contract.

Service Providers will be sent sufficient information securely and electronically using Egress.

Service Providers will receive the following information:

* Family contact information,
* Referring professional’s details,
* Information regarding the Family Based Community Support required.
  1. **Deliverables**

The Council will:

* Identify a nominated manager for the Service who will act as a point of contact and to resolve any service development, prioritisation and communication issues that may arise
* Have a clear Service access process in place
* Involve the Service Provider in regular contract management meetings
* Support volunteer training in relation to local Safeguarding practice by involvement in existing multi agency training via the Safeguarding Board or provide a suitable alternative, which has been agreed by the DSCB
* Ensure appropriate data sharing in line with the Data Protection Act 2018 and information sharing protocols and secure electronic date sharing
* Monitor the contract to ensure the service is meeting outcomes for all children and families who require a service

The Service Provider will:

* Work in conjunction with the lead worker to support each individual young person and families plan that clearly stating how the Service Provider intends to support the individual to achieve their stated outcomes.
* Ensure that highlighted outcomes will be included in the person-centred plan and communicated with the Council;
* Be able to respond to changes in demand for service provision on the request of the Council;
* Plans will be undertaken in conjunction with the lead worker and families and be available to all parties, including when they are reviewed;
* Have robust support access process in place collating the required information as agreed with the Council’s nominated manager;
* Provide managerial support and training to all staff and volunteers;
* Develop and maintain a professional relationship with the Council’s nominated manager in the Children and Young People’s Department;
* Use the service user feedback and information to inform service improvement and development.
* Contact each family and their referring worker within two working days of receiving a completed referral form and supplementary information.
* Arrange to meet with families where the referral has been accepted within 5 working days after initial contact;
* Provide support to families within 2 weeks of the referral date (except when emergency support is required);
* Provide a number of community-based support interventions to meet service outcomes;
* Attend contract review meetings as determined by the Priority Families and Early Help Commissioning Manager or an appropriate representative;
* Provide such information and evidence as may be required to ensure that the Agreement is being implemented.
  1. **Monitoring, Recording and Reporting**

The Service Provider will:  

* Ensure that communication occurs regularly with all parties involved and those families and carers are involved where appropriate.

Service Providers will be sent sufficient information securely and electronically using Egress. This information will highlight the support that each family requires and referrals will be sent securely each week, on a day to be agreed. Service providers will receive the following information:

* Family contact information;
* Referring professional details;
* Information regarding the support required.

The Service Provider shall ensure proper records are maintained and made available to the Council, including but not limited to:

* person centred care and support plans;
* risk assessments and capacity assessments;
* preparing reports for and attending Service User reviews;
* Personnel rosters;
* details of all Personnel employed and Personnel changes;
* Personnel records including training and induction;
* records of all accidents/incidents involving Staff/Service Users with follow up risk assessments and records of actions taken.

The Service Provider will:

* Monitor and evaluate its Services on a regular basis. Service review will include work with children and young people, parents/carers and operational Personnel; using a range of methods such as questionnaires, evaluation forms, focus groups and peer evaluation;
* Develop a data collection system based on the performance information outlines;
* Report any issues to the Council’s nominated manager that impact on the agreed Service delivery.
* There will be scheduled contract management meetings between the Service Provider and Priority Families and Early Help Commissioning Manager to review the KPIs and Performance.

The Council’s nominated Manager will:

* Report any difficulties to the Service Provider in the contract performance;
* Be available for consultation on specific issues as they arise.
  1. **Consultation and Feedback**

The Service Provider will:

* Develop and implement a meaningful way to consult with young people and families
* Demonstrate that the outcomes of such consultation and feedback have been considered by the Service Provider and relevant improvements/changes made as a result
* Show that it communicates effectively and regularly with Personnel, volunteers, and Service Users
* Demonstrate consultation with purchasers and outside agencies about the provision being delivered to each young person.

1. **WORKING METHODS AND CODES OF PRACTICES**
   1. **Safeguarding**

The Service Provider will be required to:

* Have policies and procedures in place to safeguard both children and adults.
* Understand the correlations between safeguarding, health and safety, safer recruitment and data protection policies and how they relate to safeguarding.
* Adhere to Derby and Derbyshire Safeguarding Children and Adult Guidelines.
* Have a robust mechanism in place for the reporting of child protection concerns (in accordance with the Children’s Act 1989 as amended 2004).
* Staff working with children, young people and vulnerable adults have enhanced Disclosure and Barring Service (DBS) clearance.

**Protection of Children, Young People and Vulnerable Adults**

Where the Service involves working with children and young people under 18, the Service Provider must take all reasonable and thorough steps, including Disclosure and Barring Service, and the Protection of Children Act and the Protection of Vulnerable Adults list checks are undertaken by the DBS or its successor body, to make sure that:

* Everyone who is likely to live or work at the premises where the Service is to be provided, and those delivering the Service by outreach or hosting are fit to be in the proximity of and provide care for children and/or young people.  For this purpose, “work” includes voluntary work and children and young people residing at host properties
* The premises in which the Service is to be provided are fit for children and/or young people
* The Service Provider has complied with all requirements for registration under the Children Act 1989.

The Service Provider must follow any advice given by the Council in relation to the paid or voluntary employment of anyone who appears to be unsuitable for work with children and/or young people.

The Service Provider must ensure that appropriate procedures are in place to ensure that Personnel and volunteers report, and deal appropriately, with allegations or concerns about vulnerable service users.

Service Providers working with children must adopt the Derby and Derbyshire Safeguarding Children procedures. This means that any concerns or alerts have to be notified to the Council the same day. These procedures can be found at:

<https://www.ddscp.org.uk/staff-and-volunteers/policies-and-procedures/>

<https://www.ddscp.org.uk/>

The Service Provider must have any procedures and processes deemed as compliant by the Derby and Derbyshire Safeguarding Children’s board, no later than two months after contract award.

* 1. **Equality and Diversity**

The Council is committed to advancing equality of opportunity and providing fair access and treatment in employment and when delivering services. We will work to deliver our commitments by tackling inequality arising out of age; disability; gender re-assignment; marital status and civil partnership; pregnancy and maternity; race; religion and belief including non-belief; sex or gender; sexual orientation; and other forms of disadvantage such as rural deprivation and isolation. Our policy applies to every Councillor, manager and employee of the Council and any other person or organisation employed by the Council to work or to deliver services on its behalf, including those employed through contractual, commissioning or grant-aided arrangements.

It is the responsibility of the Service Provider to actively meet the requirements of the Equality Act 2010 and Derby City Council (DCC) responsibilities under the Public Sector Equality Duty (the Duty) by paying due regard to:

* + eliminating discrimination, harassment, and victimisation and any other conduct that is prohibited by the Equality Act
  + advance equality of opportunity
  + foster good relations between people who share a relevant protected characteristic and those who don’t.

Having due regard means the Service Provider needs to:

* + remove or minimise disadvantages suffered by people due to their protected characteristics:
  + take steps to meet the needs of people with certain protected characteristics where these are different to the needs of other people
  + encourage people with certain characteristics to participate in public life or in other activities where the participation is disproportionately low.

The Council also expects the Service Provider to:

* + capture effective data collection on employees and people and analyse these statistics
  + produce equality impact assessments on policies, procedures and services that may have an impact on people or the service as a whole
  + provide one or more equality objectives at least every four years

The Duty and this specification requires the Service Provider take into account disabled people’s impairments, when making decisions about policies and services, as the law recognises that disabled’s people’s needs may be different from the needs of non-disabled people. This might mean making reasonable adjustments or treating disabled people better than non-disabled people to meet their needs or providing positive discrimination to enable disadvantaged groups access to the Service.

All Staff employed by the Service Provider will recognise and respect the religious, cultural and social backgrounds of Users in accordance with legislation and local and national good practice.

The Service Provider will ensure that it has access to appropriate translation services/resources to enable equity of access and understanding.

1. **QUALITY AND PERFORMANCE STANDARDS**

Service Providers will be sent sufficient information securely and electronically using Egress. This information will highlight the support that each family requires and referrals will be sent securely each week, on a day to be agreed. Service providers will receive the following information:

* Family contact information;
* Referring professional details;
* Information regarding the support required.

It is essential that the Service Provider is able to provide a Service that is flexible and responsive to the needs of families who require support.

1. **Performance Framework and Management Information**

The Service Provider will fully understand and apply the Priority Families Programme Financial Framework and Key Performance Indicators (KPIs);

The Service Provider will be expected to provide a monthly report to the Priority Families and Early Help Commissioning Manager and include the following data;

**Management Information**

* Number of referrals received per month.
* Number of families approved and not approved for support a month.
* Types of support offered for each referral.
* Total Hours used per month, with overall annual amount used.
* Outcomes information for all case closures as depicted by the terms and conditions of the IEHCF,
* Extension requests submitted.

**KPI's**

* Number of families referred contacted within 2 working days,- target 100%
* Number of meetings arranged with families within 5 working days of referral - ,- target 100%
* Number of families supported within 2 weeks of referral ,- target 100%

The Service Provider will be required to collect and report quantitative and qualitative monitoring data analysing performance on a quarterly basis, which will be used to:

* Review performance;
* Adjust service provision;
* Consider an annual report of the Service to review the specification and Agreement taking into account outcome measures.

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| --- | --- | --- |
| **Outcome** | **Measure** | **Report Frequency** |
| Parents and Young People involved in Crime and Anti-Social Behaviour | Reduction in ASB incidents across the family and/or reduction of severity or frequencies of offences | Quarterly |
| Children who have not been attending school regularly | Improved attainment and attendance at school | Quarterly |
| Children who need help | Reduce escalation of need and/or reduce the flow of children into care by 10 per cent | Quarterly |
| Adults out of work or at risk of financial exclusion, and young people at high risk of worklessness | Adults in employment or making progress and/or Young people in education, employment or training | Quarterly |
| Families affected by domestic violence and abuse | Improved safety and resilience of family | Quarterly |
| Parents and children with a range of health problems | Better child mental health and reduced parental anxiety for those supported | Quarterly |

1. **Record Keeping**

The Service Provider shall ensure proper records are maintained and made available to the Council, including but not limited to:

* person centred care and support plans
* risk assessments and capacity assessments
* preparing reports for and attending Service User reviews
* Personnel rosters
* details of all Personnel employed and Personnel changes
* Personnel records including training and induction
* records of all accidents/incidents involving Personnel/Service Users with follow up risk assessments and records of actions taken.

1. **Information Sharing and Data Protection**

People have a general right to independence, choice and self-determination including control over information about themselves. In the context of safeguarding these rights can be overridden in certain circumstances.

Emergency or life-threatening situations may warrant the sharing of relevant information with the relevant emergency services without informed consent.  The Service Provider and any associated organisations will sign up to Information Processing Agreement as part of the pre-contract / contract initiation period.

The law does not prevent the sharing of sensitive, personal information within organisations. If the information is confidential, but there is a safeguarding concern, sharing it may be justified.

The Service Provider and its Staff shall comply with Data Protection Act 2018, the General Data Protection Regulations 2016 and article 8 of the Human Rights Act (the right to privacy) and any subsequent legislation that is applicable during the course of the Agreement.

As a minimum this means:

* + - Service Users are informed of how their personal data will be processed;
    - Staff will not share information about Service Users outside of the workplace;
    - Records will be accurate and kept up to date;
    - Service Users will have a right to access to information held about them;
    - Personal tasks will be carried out in complete privacy;
    - Personal data will be kept secure at all times;
    - Any disclosure of personal information must be done securely;
    - Personal data will not be collected that is not required for the provision of the Service.

The Service Provider shall have a Data Protection policy that governs conduct of Staff and Volunteers to ensure personal data is kept secure.

The Service Provider will ensure that the Staff who provide this service are aware of their responsibilities under the Data Protection Act 2018. The Service Provider will ensure that new Staff receive training on this as part of their induction and receive refresher training on their responsibilities under the Data Protection Act 2018 at least every two years.

The Service Provider will ensure signed confidentiality agreements are in place for all members of Staff working on the contract.

The Service Provider will ensure appropriate security procedures are followed to protect the personally identifiable information belonging to Service Users when making referrals or communicating on their behalf.

The Service Provider will not transfer personal data outside of the United Kingdom without prior written consent from the Council.

If successful, the Service Provider must sign the Information Processing Agreement, which will form part of the contract, detailed at APPENDIX ONE.

1. **PROBLEM SOLVING**

The Service Provider will be expected to have a complaints and compliments procedure in place to ensure that complaints are dealt with following process with an outcome.

The Service Provider will be expected to report complaints received to the Council with a report of the investigations and outcomes.

The Council has a complaints process with an issue report form that can be used by the Council’s social care team, young person and the Service Provider.

When an issue is raised, we will request an issue report form to be completed for further investigation. This form will be shared with relevant parties.

1. **TRAINING AND MAINTENANCE**
   1. **Personnel training, competencies and skills**

* The Service Provider will ensure that there is sufficiency of trained Staff to meet and deliver to the Council’s requirements and that there will be a continuous service delivery;
* The Service Provider will provide Staff experienced in Family Based Community Support and appoint and manage appropriately;
* Service Providers will have access to a Staff to deliver the Service to the highest quality by having the right combination of skills, knowledge, experience and qualifications.
* The Service Provider will ensure that it takes into account the range of communication skills and abilities of the Service User population when recruiting and training Staff, to ensure that no Service User is excluded from accessing the service.
* The Service Provider will ensure that all Staff have a right to work in the UK and have a robust recruitment process to ensure all pre-employment checks are made as appropriate for requirements of delivering this Service.
* The Service Provider will ensure all Staff receive an appropriate induction and equality and diversity training.
* The Service Provider will have a health and safety policy, a lone working policy and all relevant Staff will have undertaken training in health, safety and security and other areas as deemed necessary to work safely within different settings.
* The Service Provider will ensure that all operational Staff have received adequate training in Children's and Adult's Protection and fully understand the Derby and Derbyshire Safeguarding Children and Adult Procedures policy and procedures.
* Staff will have a personal and professional development plan/portfolio that is assessed, implemented and evaluated on an annual basis.

1. **REVIEW OF PROCEDURES / CHANGE**

The Service specification will stand for the length of the contract; however in extenuating circumstances if the Council is required to change the Service being delivered due to changes in legislation, consultation with the Service Provider will take place with an agreed variation to Services and costs if applicable.

Authorisation for this change will be made by Chief Officers before any variations will be implemented.

All proposed changes will be implemented by the process outlined in clause 17 (Change Control and Continuous Improvement) and Schedule Six in the Terms & Conditions document supplied in ITT Part Two.

1. **Prevent**

The Service Provider will acknowledge and understand Derby City Council’s duties under section 26 and 29 of the Counter Terrorism and Security Act 2015 and shall co-operate and provide all necessary assistance to Derby City Council to enable it to comply with such duties. For the avoidance of doubt no provision of this agreement (including but not limited to clauses (Data Protection) and (Confidentiality) shall prevent the Provider from sharing all relevant information pertinent to the prevention of terrorism and/or radicalisation of vulnerable people with Derby City Council.

1. **RISKS / BUSINESS CONTINUITY / EXIT STRATEGY**
   1. **Emergency Planning**

The Service Provider shall make arrangements to cover the Service for contracted hours in the event of an internal service failure e.g. staffing difficulties and shall notify the Council immediately of any situation where the Service cannot be provided.

The Service Provider shall also contribute to the Council’s Emergency Planning arrangements, when requested, and use all reasonable endeavours to assist the Council in the event of a major emergency or disaster.

The Service Provider shall also have in place a Business Continuity Plan.

* 1. **Exit Strategy**

Towards the end of the contract where there is no extension to the agreement period, or a new agreement is let with another organisation the Service Provider will assist as appropriate and in a positive and timely manner in the changeover period to ensure a smooth transition for Service User.

1. **INSURANCE**

The Service Provider will have the following insurances in place during the performance of the Agreement:

* Employer's liability insurance in accordance with any legal requirement for the time being in force in relation to any one claim or series of claims
* Public Liability Insurance - £5m for each and every event
* Professional Indemnity Insurance - £1m for each and every event

1. **THE TRANSFER OF UNDERTAKINGS REGULATIONS 2006 (TUPE)**

The re-procurement of this contract may give rise to a possible presumption that the Transfer of Undertakings (Protection of Employment) 2006 regulations may apply in the event of this contract being awarded to a new provider.

No current employees of the Council or NHS have been identified for transfer.

However, the Council provides no warranty about the accuracy of this information or the actual legal position and therefore makes no representations about the applications of TUPE. Bidders are advised to make their own enquiries by seeking independent professional legal advice on the consequences for them if they are the successful Bidder and the TUPE regulations do apply.

1. **IR35 (INTERMEDIARIES LEGISLATION) OFF PAYROLL WORKING**

The law now requires public sector bodies to decide the employment status of persons they engage to provide services, or predominantly services, through an intermediary such as a personal service company or agency. The Council will decide the employment status prior to engagement using HM Revenue and Customs employment status tool, which can be found here -

<https://www.tax.service.gov.uk/check-employment-status-for-tax/setup>

If the Council decides the engagement is ‘employment’ Tax and Employees National Insurance will be deducted from the Successful Bidders invoice under PAYE.

The Council believes that IR35 is not applicable to this requirement. However, if it becomes apparent that there needs to be a review of the employment status of this requirement, then the Successful Bidders shall co-operate with and assist the Council in reaching a decision if IR35 is applicable, which shall rest with the Council.

1. **Social Value, Community Benefits**

The Public Services (Social Value) Act came into force on 31 January 2013 and includes a requirement for public bodies to consider Social Value when commissioning public services. As all of the services that are delivered by, or on behalf of, the Council ultimately relate to the Council’s aims to improve the lives of Derby residents, the Council has decided to extend this requirement to cover all goods, services and works contracts.

Delivering Social Value to meet the wider social, economic and environmental needs of Derby, and its residents, is seen as an intrinsic part of the Council’s commissioning and procurement processes. There is a requirement within this procurement procedure for Bidders to propose how they will realise the potential for adding Social Value through the delivery of this contract, which may include:

1. Considering ways that the local community benefits including through wider learning and development opportunities for the community.
2. Considering how you can generate value to the local supply chain.
3. Considering how you can promote fairness and equality.
4. Considering how you can minimise the environmental impact to the local community when delivering the contract.
5. Considering other ways that the contract can offer additional value in the delivery of the contract
6. **PAYMENT AND INVOICING**

Payments will be made by the Council, in arrears, on a quarterly basis.

Consolidated invoices are to be sent to the Council on a quarterly basis in arrears. No payments will be made without a valid invoice.

Each invoice is to detail the number of hours provided per family for the time period the invoice relates to.

The Council’s standard payment terms are 30 days from receipt of a valid invoice.

No invoices will be accepted without an official written order from us and the order number in full being quoted on all invoices

Hard / electronic copy **(if electronic must be in PDF format and emailed to Accounts.payableenquiry@derby.gov.uk)** invoices should be submitted:

* quarterly in arrears
* in UK Pounds Sterling
* accompanied by a full breakdown of charges relating to the Services provided.

All invoices for Derby City Council should be addressed to:

Accounts Payable Department

Derby City Council

The Council House

Corporation Street

Derby

DE1 2FS

email address; accountspayable.enquiry@derby.gov.uk

**Failure to do so may lead to a delay in payment**

All payments will be made by BACS

1. **SEPARATE APPENDICES**

* APPENDIX ONE – Information Processing Agreement

## APPENDIX ONE – INFORMATION PROCESSING AGREEMENT

To insert